

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 134 (Delegate Rosenberg, *et al.*)
Judiciary

Referred to Judicial Proceedings

Qualified Immunity from Civil Liability - SLAPP Suits

This amended bill establishes that a lawsuit is a “strategic lawsuit against public participation” (SLAPP suit) if it is (1) brought in bad faith against a party who has exercised specified federal or State constitutional rights of free speech in communicating with a government body or public at large; (2) materially related to the defendant’s communication; and (3) intended to inhibit the exercise of those constitutional rights. The bill provides immunity from civil liability to a defendant in a SLAPP suit who acts in good faith in exercising the same constitutional rights. A defendant is allowed to file a counterclaim, and may move to dismiss a SLAPP suit, or to stay all court proceedings.

The bill is applied prospectively only.

Fiscal Summary

State Effect: None. Any effect on the Judiciary’s caseload is expected to be negligible.

Local Effect: None.

Small Business Effect: None. This bill would not directly affect small business.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Fiscal Services

Fiscal Note History: First Reader - January 31, 1997
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